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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,680	12/29/2000	Sada L. Reddy	1874-05	9132

7590

12/16/2004

Daniel F. Perez
Bickel & Brewer
4800 Bank One Center
1717 Main Street
Dallas, TX 75201

EXAMINER


HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

 Office Action Summary	Application No. 09/751,680	Applicant(s) REDDY, SADA L.	
	Examiner Lalita M Hamilton	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof" (emphasis added).

Claims 1-10 are rejected under 35 U.S.C. 101, because the claimed invention is directed to a non-statutory subject matter. Specifically the method claims as presented do not claim a technological basis in the body of the claim. Without a claimed basis, the claim may be interpreted in an alternative as involving no more than a manipulation of an abstract idea and therefore non-statutory under 35 U.S.C. 101. In contrast, a method claim that includes in the body of the claim structural / functional interrelationship which can only be computer implemented is considered to have a technological basis [See *Ex parte Bowman*, 61 USPQ2d 1669, 1671 (Bd. Pat. App. & Inter. 2001) - used only for content and reasoning since not precedential].

In order to overcome the 101 rejection above, the following is suggested:

In the body of the claim include structural / functional interrelationship which can only be computer implemented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Powell (US 2004/0220881).

Powell discloses a method and corresponding system and computer program product for facilitating idea submission, purchase, and licensing and innovation transfer comprising a computer network for interactively supporting investment opportunities for investors and entrepreneurs, wherein said computer network has at least one client connectable to one or more servers, designating a database wherein entrepreneur-provided data is stored and investor-provided data is stored, analyzing said entrepreneur-provided data or said investor-provided data, and provisionally depositing said entrepreneur-provided data or said investor-provided data in an approval queue until approval of said entrepreneur-provided data or said investor-provided data is granted, thereby promoting investment opportunities for entrepreneurs and investors by electronically approving the quality of entrepreneur-provided data and investor-provided data available to potential entrepreneurs and investors (p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); provisionally depositing said entrepreneur-provided data

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or said investor-provided data in an approval queue until approval of said entrepreneur-provided data or said investor-provided data is electronically granted through a customer care resource (p.28, 29-31); contacting said respective entrepreneur or investor if said entrepreneur-provided data or said investor-provided data is not approved through said customer care resource, providing reasons to said entrepreneur or investor explaining why said respective entrepreneur-provided data or said investor-provided data was not approved through a customer care resource, and thereafter maintaining said entrepreneur-provided data or said investor-provided data in said approval-queue (p.2, 13-15—has capability of rejecting); approving said entrepreneur-provided data or said investor-provided data, in response to analyzing said entrepreneur-provided data or said investor-provided data (p.2, 13-15; p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); releasing approved entrepreneur-provided data or approved investor-provided data, in response to approving said entrepreneur-provided data or said investor-provided data and thereafter removing said entrepreneur-provided data or said investor-provided data from said approval queue (p.2, 13-15; p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); permitting a customer care resource representative to access user-identification codes associated with a registered entrepreneur, and thereby view online activity associated with said registered entrepreneur (p.2, 13-15; p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); permitting a customer care resource representative to access user-identification codes associated with a registered investor, and thereby view online activity associated with said registered investor (p.3, 21-22 and p.10, 109-110—information may be viewed by

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certain entities and the system administrator has access to all records); permitting a customer care resource representative to update and modify said entrepreneur-provided data (p.3, 21-22 and p.10, 109-110—information may be viewed by certain entities and the system administrator has access to all records); permitting a customer care resource representative to update and modify said investor-provided data (p.3, 21-22 and p.10, 109-110—information may be viewed by certain entities and the system administrator has access to all records); electronically contacting said entrepreneur or said investor, in response to a particular input by a customer care resource representative (p.10, 109-110); each of said modules further comprise signal-bearing media (p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); signal-bearing media comprises transmission media (p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192); and signal-bearing media comprises recordable media (p.6, 72-76; p.10, 109-111; p.12, 144-145; and p.17, 191-192).

Provisional Application Listed on PTO-892 form

If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to

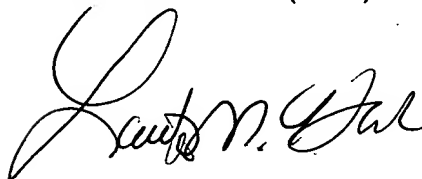
this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Lalita M. Hamilton", is located at the bottom left of the page.